



**DEPARTMENT OF THE TREASURY**  
**BUREAU OF ALCOHOL, TOBACCO AND FIREARMS**  
**BREWER'S BOND CONTINUATION CERTIFICATE**

*(You must file two copies of this bond with original signatures.  
Please see the instructions on the back.)*

Please check one box. This bond covers a:

☐ Brewery ☐ Pilot Brewing Plant

EIN: \_\_\_\_\_

DATE: \_\_\_\_\_

What is your brewery's legal name?

What is your brewery's business office address?

(Number and Street) (City) (County) (State) (Zip Code)

What is the location of your brewery?

(Number and Street) (City) (County) (State) (Zip Code)

Form Number	Effective Date	Bond Amount	Form Number	Effective Date	Bond Amount
		\$			\$
		\$			\$
		\$			\$
		\$			\$

Effective Date:

Total Amount of this Continuation Certificate is: \$

**Penalties of Perjury Statement**

I agree to all terms and conditions of this brewer's bond continuation certificate as listed on the back of this form and I further declare under penalties of perjury that none of the persons owning, controlling or actively participating in the management of the brewery has ever been convicted in a court of competent jurisdiction of:

- Any fraudulent noncompliance with any provision of law of the United States
  - if it relates to internal revenue or customs taxation of distilled spirits, wines or beer, or
  - if the offense is compromised with the individual, firm, partnership, corporation or association on payment of penalties or otherwise;

OR

- Any felony under a law of any State or the District of Columbia, or the United States, prohibiting the manufacture, sale, importation, or transportation of distilled spirits, wines, beer, or other intoxicating liquor.

We witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signed, sealed, and delivered in the presence of--

Brewery Name \_\_\_\_\_ Surety Company \_\_\_\_\_

Signature \_\_\_\_\_ Signature \_\_\_\_\_

Name and Title \_\_\_\_\_ Name and Title \_\_\_\_\_

Seal or  
Signature of \_\_\_\_\_ Seal  
Two Witnesses \_\_\_\_\_

**Bureau of Alcohol, Tobacco and Firearms - Approval and Acceptance**

**On behalf of the United States of America, I approve and accept this brewer's bond continuation certificate.**

\_\_\_\_\_  
Chief, National Revenue Center  
Bureau of Alcohol, Tobacco and Firearms

\_\_\_\_\_  
Date Approved

This certificate continues the listed bonds to expire on \_\_\_\_\_

**What is the purpose of this continuation certificate?**

We, the brewery (as principal) and the surety promise ourselves to the United States of America for payment in the amount of this bond in lawful money of the United States. This bond firmly binds ourselves, together and individually, our heirs, executors, administrators, successors, and assigns.

**At the premises identified in this certificate I am now engaged in, or intend to continue to engage in:**

- the business of producing beer on the premises of the brewery; OR
- the operation of a pilot brewing plant.

***These are the terms of this certificate.*****1. What is the certificate effective date?**

- The certificate is effective only if ATF agrees to accept it.
- If ATF accepts this certificate it is effective without notice to us.
- The certificate effective date is the date I list on the front of this form.

**2. When does this certificate terminate?**

- The certificate terminates with respect to the accrual of further liability four years from the effective date.
- We may continue the certificate in force for additional, successive, periods of four years by mutually agreeing to extend the certificate, with a Brewer's Bond Continuation Certificate, ATF F 5130.23. The certificate will continue in force only if ATF agrees to accept the continuation certificate.

**These are the conditions of this certificate.**

- 1. Continuation of bond:** We agree to continue in force the bonds and continuation certificates we list on the front of this certificate. We continue these bonds subject to all provisions of law and regulations that apply to brewer's bonds.
- 2. Liability:** I, the brewery, must pay to the United States, according to the laws and regulations of the United States, the taxes on all beer, including penalties and interest, for which I become liable.
  - (a) Liability as a brewery: I am liable for taxes for all beer removed for consumption or sale, including beer I:**
    - (1) transfer to this brewery from other breweries or pilot brewing plants I control;
    - (2) import in bulk and remove from customs custody for transfer to my internal revenue bond;
    - (3) remove without payment of tax for export or for vessels or aircraft supplies but which is not exported or used as authorized; and
    - (4) remove without payment of tax for authorized research, development, or testing relating to beer I brew, produce, or receive.
  - (b) Liability as a pilot brewing plant: As a pilot brewing plant operator I am liable for taxes for all beer I brew, produce, or receive on the pilot brewing plant.**
- 3. Faithful compliance:** I must comply faithfully in all respects, without fraud or evasion, with all legal and regulatory requirements relating to the production and sale of beer.
- 4. Full obligation:** This obligation remains in full force and effect until I fulfill my obligations under the laws and regulations.
- 5. Changes while certificate is in effect:** We agree that all stipulations, covenants, and agreements of this certificate extend and apply equally to any change in the business that requires a new or amended Brewer's Notice for this brewery or pilot brewing plant. This condition does not apply when the change is a change in the ownership of the business or in a change of location of the premises.
- 6. We agree that ATF** may grant the brewery an installment payment agreement for taxes, penalties, and interest. Installment agreements are within the terms and conditions of the bond and do not affect ATF's ability to pursue all available remedies against us under the bond.
- 7. United States action if we breach any condition:** On the breach of any of the conditions of this certificate, the United States may pursue remedies against the brewer or surety independently, or against both jointly. The surety waives any right or privilege to require that the United States must first start an action, intervene in any action already started, or otherwise exhaust its remedies, against the brewer.

**Paperwork Reduction Act Notice**

This request is in accordance with The Paperwork Reduction Act of 1995. We use this information to determine whether you are qualified to operate as a brewer. We must identify: you as the brewer, the surety company, and the bond amount. The information we request is required for you to obtain a benefit and is mandatory by law (26 U.S.C. § 5401).

We estimate the average burden associated with this collection to be 45 minutes per brewer, depending on individual circumstances. Address your comments concerning the accuracy of this burden estimate and suggestions to reduce this burden to: Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226.

ATF may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for this Brewer's Bond Continuation Certificate is 1512-0081. This control number expires on 05/31/2004.

## Privacy Act Information

We provide this information to comply with Section 3 of the Privacy Act of 1974 (5 U.S.C. 552a(e)(3)):

- 1. What is ATF's authority to ask for this information?** We require this information under the authority of 26 U.S.C. 5401. You must disclose this information to obtain authority to conduct brewing operations.
- 2. What is the purpose for this information collection?** You provide this information to give us a bond for your compliance with requirements to establish a brewery, so that we may identify you as a brewer, and to identify your collateral for a brewer's bond.
- 3. How does ATF routinely use this information?** We use this information to make determinations for the purposes described in paragraph 2. Also, we may disclose the information to other Federal, State, foreign and local law enforcement and regulatory agency personnel to verify information on the form where such disclosure is not prohibited by law. We may disclose the information to the Justice Department if it appears that the furnishing of false information may constitute a violation of Federal law. Finally, we may disclose the information to members of the public in order to verify information on the form where such disclosure is not prohibited by law.
- 4. What is the effect of my not supplying the information ATF requests?** If you fail to supply complete information then we will delay processing and may disapprove or deny your application.

## Brewer's Bond Continuation Certificate — Instructions

- 1. Where can I get assistance?**  
For help with this form, you may call us toll-free at **(800) 398-2282**.
- 2. Why must I submit two copies with original signatures?**  
If we accept your continuation certificate we will keep one copy in our files and return the second copy to you for your records. You must file **two copies**. **Sign both** copies with **original signatures**.
- 3. Where do I send this certificate?**  
Send both signed copies with all necessary attachments to:  
Chief, National Revenue Center  
Bureau of Alcohol, Tobacco and Firearms  
Room 8002 FOB  
550 Main Street  
Cincinnati, OH 45202-3263.
- 4. What is an EIN?**  
EIN stands for Employer Identification Number. We use your EIN to identify your brewery in our registry and tax systems. If you do not have an EIN, you must obtain one from the Internal Revenue Service (IRS). Use an IRS Form SS-4 and follow instructions on the form to apply for an EIN.
- 5. How do I identify the former bonds and certificates this agreement continues?**  
You must list each of the former bonds and continuation certificates that you continue with this agreement. Start with the first bond and list each in order.
- 6. How do I determine the certificate amount?**  
The certificate amount is the sum of all of the bond amounts that you continue with this agreement. You may not change your total bond amount with the continuation certificate. The total bond amount must remain the same. To change bond amounts you must file a new bond. Please see 27 CFR Part 25 to determine the appropriate bond amount, or call us toll-free at (800) 398-2282 for assistance.
- 7. What do I list for "brewery's name" and who signs this certificate for me?**

Brewery Name and Signature		
If the brewery is...	Then your brewery's name on the certificate must include...	And...
An individual, or individuals	The full given name of each individual	Each individual <b>Or</b> an empowered attorney-in-fact must sign the certificate ( <i>see item 8</i> ).
A partnership	<ul style="list-style-type: none"><li>• Your firm name, followed by</li><li>• The names of all its members</li></ul>	Each partner must sign <b>Or</b> an authorized partner must sign <b>Or</b> an empowered attorney-in-fact must sign the bond ( <i>see item 8</i> ).
A limited partnership (LP)	<ul style="list-style-type: none"><li>• Your LP name</li></ul>	The person who is authorized to sign for the limited partnership must give their signature and title <b>AND</b> the limited partnership's seal, if applicable ( <i>see item 9</i> ).
A corporation or limited liability company (LLC)	<ul style="list-style-type: none"><li>• Your corporate or LLC name</li><li>• The name of the state of incorporation or organization</li><li>• The location of the principal office</li></ul>	The person authorized to act for the corporation must give their signature and title <b>AND</b> the corporate seal must attest to the signature. If there is no seal the brewery must state that fact and two witnesses must sign the bond. ( <i>See item 9.</i> )

- 8. Who is an "empowered attorney-in-fact?"**  
An attorney-in-fact is anyone you authorize to obligate you by signing this continuation certificate. You must attach an authenticated copy of a power of attorney to authorize your attorney-in-fact to sign for you.

**9. Who may sign for a partnership, corporation or LLC?**

When only one person signs for a partnership, association, LLC, or corporation, you must attach one of these as an appropriate authorization: (1) an authenticated copy of a power of attorney, (2) a resolution of the board of directors, (3) excerpt of the bylaws, or (4) other document authorizing the person to sign the bond for you.

**10. What if ATF already has an authorizing document for the person signing for the brewery?**

If we already have an authorization on file you may attach a statement to that effect.

**11. Who signs for the surety company?**

Authorized persons sign for the surety, attested under the surety's seal. You must attach a power of attorney from the surety.

## 12. Who must witness the signatures?

You must have either two witnesses to the brewery representative's signature or a corporate seal to attest to the signature. The surety must attest to their signature with their seal.

**13. How do I make corrections to the continuation certificate if I make a mistake?**

Where you make any alteration or erasure in the continuation certificate you must incorporate a statement consenting to the alteration. The following statement must be added in the side margin of the certificate and initialed by those persons who sign for the brewery and surety:

**We consent to this correction:** brewery\_\_\_\_\_and surety\_\_\_\_\_.  
                                    (initials)                                    (initials)

**14. What if I download this form from the internet and I cannot print both sides on one page?**

We prefer that the certificate be on a single sheet. However, if you cannot print on one sheet, you may print two pages. But, you must include your EIN and current date on the front and back pages of the certificate in the block provided.